

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**  
**OF THE**  
**STATE OF LOUISIANA**

**TENTH DAY'S PROCEEDINGS**

**Thirty-first Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Tuesday, May 10, 2005

The House of Representatives was called to order at 2:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
Dewitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston

Fannin  
Farrar  
Total - 105

Montgomery  
Morrell  
ABSENT

Wooton  
Wright

Total - 0

The Speaker announced that there were 105 members present and a quorum.

**Prayer**

Prayer was offered by Rev. Troy Terrell.

**Pledge of Allegiance**

Rep. Morrell led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Cravins, the reading of the Journal was dispensed with.

On motion of Rep. Cravins, the Journal of May 10, 2005, was adopted.

The Vernon Parish Community Choir performed for the House membership.

**Acting Speaker Alario in the Chair**

**Speaker Salter in the Chair**

**Petitions, Memorials and  
Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

May 10, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No 86  
Returned without amendments

House Concurrent Resolution No 88  
Returned without amendments

House Concurrent Resolution No 89  
Returned without amendments

House Concurrent Resolution No 90  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

May 10, 2005

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To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 24, 44, 51, 135, 139, 156, 201, 203, 226, 232, 243, and 247

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. Hill, the rules were suspended in order to take up the bills contained in the message at this time.

### Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

#### SENATE BILL NO. 24—

BY SENATORS CAIN, CHEEK, DUPRE, HOLLIS, KOSTELKA, MCPHERSON, MICHOT, MOUNT AND SCHEDLER AND REPRESENTATIVES BADON, BALDONE, BAUDOUIN, BRUCE, CRAVINS, DARTEZ, DOWNS, FRITH, GEYMAN, HILL, HUTTER, KATZ, KENNEY, McDONALD, MONTGOMERY, T. POWELL, JACK SMITH, WALKER, WALSORTH AND WRIGHT

##### AN ACT

To amend and reenact R.S. 3:1355(A) and to enact R.S. 3:1355(B), R.S. 14:67.19.1 and R.S. 40:962.1.2, relative to certain controlled dangerous substances; to prohibit the unauthorized possession of anhydrous ammonia for use in the sale of certain controlled dangerous substances; to restrict the sale of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts, optical isomers and salts of optical isomers used in the manufacture of methamphetamines; to require that pharmacies maintain records on purchases of certain restricted substances used to manufacture methamphetamine; to provide exceptions for substances formulated so as to prevent conversion of certain active ingredients; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 44—

BY SENATORS LENTINI, MCPHERSON AND NEVERS

##### AN ACT

To enact R.S. 39:362.1, relative to state owned motor vehicles and aircraft; to require the approval of the Joint Legislative Committee on the Budget for the purchase of certain vehicles for use by a statewide elected official; to provide for an effective date; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 51—

BY SENATORS CHEEK AND BAOJIE

##### AN ACT

To amend and reenact R.S. 33:1981(C)(1) and 2201(C)(1), relative to certain payments made to survivors of certain first responders; to increase the amount of payments provided as financial security to the surviving spouse or parents of firemen and law enforcement officers in certain cases; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 135—

BY SENATOR DARDENNE

##### AN ACT

To amend and reenact R.S. 11:471(A) and to enact R.S. 11:441(G), relative to Louisiana State Employees' Retirement System; to provide with respect to survivors benefits; to provide with respect to eligibility for retirement for new members; to require new members to have ten years of service at age sixty to be eligible for retirement; to provide for an effective date; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 139—

BY SENATOR JONES

##### AN ACT

To enact R.S. 40:2405.5, relative to Peace Officer Standards and Training; to provide a training course for law enforcement interaction with mentally ill and developmentally disabled persons; to provide for course requirements; to provide for implementation and reporting requirements; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 156—

BY SENATORS CHAISSON AND NEVERS

##### AN ACT

To enact R.S. 14:67.4, relative to crimes; to make theft of encoded credit card information a crime; to criminalize the use of a scanning device or re-encoder to capture encoded information from a magnetic strip; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 201—

BY SENATORS BROOME AND JACKSON

##### AN ACT

To enact R.S. 40:600.6(A)(4)(b)(x) and Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.27 and 600.28, relative to the Louisiana Housing Finance Agency; to create the Louisiana Habitat for Humanity Loan Purchase Program; to provide for the purposes, funding, and procedures of the loan purchase program; to provide for an effective date; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 203—

BY SENATORS DUPRE AND SCHEDLER

##### AN ACT

To enact R.S. 14:62.5(C), relative to looting; to provide penalties when looting occurs during a declaration of state of emergency; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 226—

BY SENATOR N. GAUTREAUX

##### AN ACT

To amend and reenact the introductory paragraph of R.S. 15:574.4(A)(2)(a), and R.S. 40:967(B)(1), (4) and (5) and 981.2(C), relative to certain controlled dangerous substances; to increase the penalty for the manufacture, possession or distribution of oxycodone; to authorize offenders to participate in the intensive incarceration program; and to provide for related matters.

Read by title.

**SENATE BILL NO. 232—**  
BY SENATOR MURRAY

AN ACT

To enact R.S. 26:85.2, relative to alcohol beverage control; to establish and authorize the issuance of a museum permit to authorize the limited sale of certain commemorative bottles of alcohol and to authorize the limited service of product samples in a historically-based museum facility that is operated in a historic preservation district; and to provide for related matters.

Read by title.

**SENATE BILL NO. 243—**  
BY SENATOR MOUNT

AN ACT

To amend and reenact Children's Code Art. 603(14), relative to a child in need of care; to provide with respect to the definition of neglect; and to provide for related matters.

Read by title.

**SENATE BILL NO. 247—**  
BY SENATOR MOUNT

AN ACT

To enact Civil Code Art. 2807.5 and R.S.12:1310.5, relative to partnerships and limited liability companies; to provide for the retroactive effect of a partnership's or a limited liability company's existence when immovable property is acquired by such entities which have not been duly constituted; and to provide for related matters.

Read by title.

**Introduction of Resolutions,  
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE RESOLUTION NO. 24—**  
BY REPRESENTATIVE KENNARD

A RESOLUTION

To commend Jeffrey Scott Adams for his extraordinary service and great sacrifice for his country while serving on foreign soil.

Read by title.

On motion of Rep. Kennard, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 25—**  
BY REPRESENTATIVE KENNARD

A RESOLUTION

To commend Sergeant First Class Michael McNaughton for his extraordinary service and great sacrifice for his country while serving during Operation Enduring Freedom and for continuing to serve his nation.

Read by title.

On motion of Rep. Kennard, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 26—**  
BY REPRESENTATIVE SALTER

A RESOLUTION

To express the condolences of the House of Representatives of the Legislature of Louisiana upon the death of Frank Spruiell, Sr. of Baton Rouge.

Read by title.

On motion of Rep. Salter, and under a suspension of the rules, the resolution was adopted.

**HOUSE CONCURRENT RESOLUTION NO. 91—**

BY REPRESENTATIVES LAMBERT, M. POWELL, M. GUILLORY, ST. GERMAIN, AND WHITE AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend Mothers of Military Servicemen and Women - Blue Star Mothers of Louisiana.

Read by title.

On motion of Rep. Lambert, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 92—**

BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to require financial institutions to notify consumers prior to publication of negative credit information and to allow adequate time for correction.

Read by title.

Lies over under the rules.

**House and House Concurrent Resolutions**

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 83—**

BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To direct the Louisiana State Board of Dentistry to formulate proposed legislation providing for a volunteer license, which would allow retired dentists to practice at nonprofit health care facilities for no remuneration.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

**HOUSE CONCURRENT RESOLUTION NO. 84—**

BY REPRESENTATIVES DOVE AND BALDONE AND SENATOR DUPRE

A CONCURRENT RESOLUTION

To memorialize the United States Congress and the Louisiana Congressional Delegation to approve funding for deepening the Houma Navigation Canal, including funding efforts to make beneficial use of the dredge material for embankment stabilization.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 85—**

BY REPRESENTATIVE JACK SMITH

A CONCURRENT RESOLUTION

To establish, in the Department of Wildlife and Fisheries, the Wild-Caught Crawfish Task Force and to provide for its membership and responsibilities.

Read by title.

Under the rules, the above resolution was referred to the Committee on Natural Resources.

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### HOUSE CONCURRENT RESOLUTION NO. 87—

BY REPRESENTATIVE TUCKER

#### A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the feasibility of placing a cap, equivalent to the average annual cost of a private ICF/MR, on the NOW waiver.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

### Senate Concurrent Resolutions

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

### SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATOR FIELDS

#### A CONCURRENT RESOLUTION

To amend the rule adopted as policy by the Facility Planning and Control Division of the Office Facilities Corporation regarding procedure for access by visitors and/or non-tenants to a state office building, and to direct such division to reissue its policy.

Read by title.

Under the rules, the above resolution was referred to the Committee on Appropriations.

### SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATOR JONES

#### A CONCURRENT RESOLUTION

To urge and request the state of Louisiana to assume full ownership and possession of the real property and all of the improvements located on the property formerly known as Swanson Correctional Center for Youth-Madison Parish Unit facility at Tallulah.

Read by title.

Under the rules, the above resolution was referred to the Committee on Appropriations.

### SENATE CONCURRENT RESOLUTION NO. 40—

BY SENATOR BAJOE

#### A CONCURRENT RESOLUTION

To commend Harold Fontenette for being one of the first African-American students to pursue higher educational studies, in 1958, at the Louisiana State University in New Orleans (LSUNO).

Read by title.

On motion of Rep. Jefferson, and under a suspension of the rules, the resolution was concurred in.

### SENATE CONCURRENT RESOLUTION NO. 43—

BY SENATOR SMITH

#### A CONCURRENT RESOLUTION

To commend and congratulate the students and faculty at Northwestern State University on their recent success at the 10<sup>th</sup> Annual Association of Information Technology Professionals (AITP) National Collegiate Conference.

Read by title.

On motion of Rep. Townsend, and under a suspension of the rules, the resolution was concurred in.

### SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR DARDENNE

#### A CONCURRENT RESOLUTION

To commend and congratulate Dr. Eugene R. Wittkopf upon the occasion of his retirement from Louisiana State University as R. Downs Poindexter Distinguished Professor of Political Science; to recognize and record his accomplishments and contributions to the university; and to extend to him best wishes of the Legislature of Louisiana on his future endeavors.

Read by title.

On motion of Rep. Crane, and under a suspension of the rules, the resolution was concurred in.

### SENATE CONCURRENT RESOLUTION NO. 47—

BY SENATOR HINES AND REPRESENTATIVE SALTER

#### A CONCURRENT RESOLUTION

To commend and congratulate the Rotary International on its 100<sup>th</sup> anniversary.

Read by title.

On motion of Rep. Montgomery, and under a suspension of the rules, the resolution was concurred in.

### House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

#### Motion

On motion of Rep. Montgomery, the Committee on Ways and Means was discharged from further consideration of House Bill No. 292.

### HOUSE BILL NO. 292—

BY REPRESENTATIVES MONTGOMERY AND PIERRE

#### AN ACT

To enact Part VI-A of Chapter 7 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:820.25 through 820.27, relative to the Interstate 49 Account; to impose an additional one cent tax on gasoline and motor fuels and special fuels; to provide for the levy, collection, and administration of the tax; to provide for the use of the proceeds therefrom; to establish the Interstate 49 Account within the Transportation Trust Fund and to provide for disbursements from the account; to provide for an effective date; and to provide for related matters.

Read by title.

#### Motion

On motion of Rep. Montgomery, the bill was withdrawn from the files of the House.

### House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 6—**

BY REPRESENTATIVES GARY SMITH, BRUCE, CROWE, DOERGE, FRITH, GEYMAN, KLECKLEY, LAFONTA, PINAC, T. POWELL, RITCHIE, SHEPHERD, STRAIN, TRAHAN, WADDELL, WALSWORTH, AND WHITE

**AN ACT**

To enact R.S. 29:418.1, relative to the suspension or termination of cellular phone contracts during service in the uniformed services; to authorize the termination of the contract without an early termination fee; to authorize the suspension of a cellular phone contract without imposition of any activation fee; to require certain notices; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 6 by Representative Gary Smith

**AMENDMENT NO.1**

On page 1, line 14, after "written" delete "or verbal"

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 98—**

BY REPRESENTATIVE WALKER

**AN ACT**

To amend and reenact R.S. 32:667(H)(1), relative to seizure of a driver's license; to provide with respect to the reinstatement of drivers' licenses following suspension in connection with a criminal charge; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Quezaire, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 123—**

BY REPRESENTATIVES DOWNS AND GALLOT

**AN ACT**

To enact R.S. 36:509(U) and Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.295, relative to the Lincoln Parish Reservoir Authority; to create the Lincoln Parish Reservoir Authority as a state agency; to provide for a board of commissioners to manage the reservoir authority; to provide for the reimbursement of the amount originally paid for property returned to a prior landowner; to limit the authority of the district to expropriate property; to provide for the powers and duties of the authority including the authority to issue bonds; to prohibit certain actions; to provide for penalties; to provide relative to the authority's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 123 by Representative Downs

**AMENDMENT NO. 1**

On page 1, line 6, after "authority;" and before "to" insert the following:

"to provide for the reimbursement of the amount originally paid for property returned to a prior landowner; to limit the authority of the district to expropriate property"

**AMENDMENT NO. 2**

On page 2, delete 22 in its entirety and insert the following:

"amount originally paid to the prior owner by the authority."

**AMENDMENT NO. 3**

On page 3, line 1, after "B." insert "(1)"

**AMENDMENT NO. 4**

On page 3, line 5, after "donation." delete "expropriation, or otherwise" and insert "or lease"

**AMENDMENT NO. 5**

On page 3, line 8, after "authority." insert the following:

"The authority may acquire by expropriation only property that is to be used for the maximum pool of water at the high water pool stage as determined by the authority for a reservoir to be located in Lincoln Parish or for ingress to and egress from such reservoir as is necessary to construct, safely maintain, and operate such reservoir. However, in lieu of purchasing the property, the authority may obtain a flood servitude or flowage easement, upon payment of a negotiated amount, on that land located between the normal pool stage and the maximum flood elevation as determined by the authority."

**AMENDMENT NO. 6**

On page 3, between lines 9 and 10, insert the following:

"(2)(a)(i) Any expropriation exercised pursuant to this Subsection shall, except as provided in this Paragraph, be conducted pursuant to the general expropriation provisions for expropriation by the state or its political subdivisions contained in Part I of Title 19 of the Louisiana Revised Statutes of 1950.

(ii) Prior to purchasing property or exercising its power of expropriation, the authority shall have the property appraised by an independent appraiser licensed in the state of Louisiana to determine the amount of compensation to be paid the landowner for his property. If an agreement as to compensation cannot be reached between the district and the landowner, then either party may exercise his right to a jury trial under Article I, Section 4 of the Constitution of Louisiana to determine the amount of compensation to be paid.

(b)(i) If a residential mobile home, as defined in R.S. 9:1149.2(10), is located on land to be taken by the authority through expropriation, the authority shall make every reasonable effort to relocate the existing residential mobile home to a location within the

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authority as close as practicable to its current location, unless the owner receives the amount due him as allowed by law.

(ii) If a private residence has been built on land to be taken by the authority through expropriation, the authority shall make every reasonable effort to accommodate the owner of the residence either by payment of compensation or by constructing a new home for the owner on land located as near as practicable to its current location unless another location is specified by the owner and provided the cost of a new residence does not exceed the amount due the owner as allowed by law."

### AMENDMENT NO. 7

On page 4, at the beginning of line 5, change "Four" to "Three"

### AMENDMENT NO. 8

On page 4, at the beginning of line 7, change "Three" to "Four"

### AMENDMENT NO. 9

On page 5, line 14, after "purchase," and before "or" delete "expropriation, and insert "lease."

### AMENDMENT NO. 10

On page 6, between lines 9 and 10 insert the following:

"(10) To manage and control the water level and to make recommendations to the Wildlife and Fisheries Commission regarding lake drawdowns for biological purposes and aquatic plant control."

### AMENDMENT NO. 11

On page 6, line 10, change "(10)" to "(11)"

### AMENDMENT NO. 12

On page 7, between lines 19 and 20 insert the following:

"(7) To manage and control the water level; however, the management and control of drawdowns for biological purposes is vested in the Wildlife and Fisheries Commission."

### AMENDMENT NO. 13

On page 8, delete lines 1 through 3 and insert the following:

"(2) Whoever violates this Subsection shall be subject to a civil penalty of five hundred dollars for a first offense and one thousand dollars for a second or subsequent offense."

### AMENDMENT NO. 14

On page 8, delete lines 13 through 15 and insert the following:

"(3) Whoever violates this Subsection shall be subject to a civil penalty of five hundred dollars for a first offense and one thousand dollars for a second or subsequent offense."

### AMENDMENT NO. 15

On page 8, delete lines 22 through 24 in their entirety.

### AMENDMENT NO. 16

On page 8, line 25, change "(d)" to "(c)"

### AMENDMENT NO. 17

On page 8, line 27, change "(e)" to "(d)"

### AMENDMENT NO. 18

On page 8, line 29, change "(f)" to "(e)"

### AMENDMENT NO. 19

On page 9, line 1, change "(g)" to "(f)"

### AMENDMENT NO. 20

On page 9, delete lines 3 through 5 and insert the following:

"(2) Whoever violates this Subsection shall be subject to a civil penalty of five hundred dollars for a first offense and one thousand dollars for a second or subsequent offense."

### AMENDMENT NO. 21

On page 9, delete lines 12 through 14 and insert the following:

"(2) Whoever violates this Subsection shall be subject to a civil penalty of five hundred dollars for a first offense and one thousand dollars for a second or subsequent offense."

### AMENDMENT NO. 22

On page 10, line 23, after "may" delete "cause to be created and constructed" and insert "acquire by purchase, donation, or lease property for the construction of"

### AMENDMENT NO. 23

On page 10, line 25, after "lake" change the comma "," to a period "." and delete the remainder of the line and delete lines 26 and 27 in their entirety

### AMENDMENT NO. 24

On page 11, line 4, after "The" delete the remainder of the line and at the beginning of line 5, delete "recommendations of the board," and insert "board"

### AMENDMENT NO. 25

On page 11, between lines 17 and 18 insert the following:

"Section 2. If the board of commissioners provided for in this Act select a site for the reservoir by August 15, 2015, the provisions of this Act and any subsequent amendments to the provisions therein shall cease to be effective on August 15, 2005."

### AMENDMENT NO. 26

On page 11, line 18, change "Section 2." to "Section 3."

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 130—**

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 47:287.730, relative to the corporation income tax; to provide for electing out of partnership treatment for corporation income tax purposes; to provide for the treatment of certain items of income and expenses with regard to an unincorporated organization electing out of partnership treatment; to provide for the applicability of such electing out; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 130 by Representative Hammett

##### AMENDMENT NO. 1

On page 1, delete lines 10 through 20 and insert the following:

"A. An election made pursuant to I.R.C. (26 USC) Section 761 to exclude an unincorporated organization from the application of all or part of Subchapter K of the Internal Revenue Code shall be binding upon the members of the unincorporated organization for purposes of computing the tax imposed by this Part. Whenever such an election is made, the unincorporated organization making the election shall not be treated as a partnership for purposes of this Part.

B. Under no circumstances shall income from an unincorporated organization that has made the I.R.C. Section 761 election be treated as "income from partnerships" for purposes of this Part; rather, it shall be treated by a member of the unincorporated organization as income from the underlying property as co-owner of the property. The share of each item of income, gain, loss, deduction, or credit, realized or incurred by a member of such unincorporated organization that has made the I.R.C. Section 761 election shall be treated as follows:

(1) The member shall be treated as directly realizing the member's share of items of gross income attributable to the unincorporated organization.

(2) The member shall be treated as directly incurring the member's share of items of expense attributable to the unincorporated organization.

(3) The member shall be treated as directly accruing items of credit attributable to the unincorporated organization.

(4) The member shall treat the member's interest in each asset of the unincorporated organization as owned directly by the member.

(5) The member shall treat the member's share of each liability as incurred directly by the member."

##### AMENDMENT NO. 2

On page 2, delete lines 1 through 6.

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 141—

BY REPRESENTATIVE WALKER

AN ACT

To amend and reenact R.S. 47:462(A)(5)(a) and 477, relative to the registration and licensing of certain vehicles; to provide relative to the classification of certain trucks, tandem trucks, truck-tractors, semitrailers, and trailers; to clarify the classification of such vehicles owned by persons engaged in the business of actual farming; to provide relative to the registration of trailers; to authorize certain law enforcement agencies to assign serial

numbers and inspect certain trailers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 141 by Representative Walker

##### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:462(A)(5)(a)" and before the comma "," insert "and 477"

##### AMENDMENT NO. 2

On page 1, line 5, after "farming;" insert "to provide relative to the registration of trailers; to authorize certain law enforcement agencies to assign serial numbers and inspect certain trailers;"

##### AMENDMENT NO. 3

On page 1, line 8, after "R.S. 47:462(A)(5)(a)" delete "is" and insert "and 477 are"

##### AMENDMENT NO. 4

On page 2, after line 8, insert the following:

"§477. Trailers to bear stenciled serial numbers

Before issuing a license for any semitrailer, trailer, or tandem semitrailer, the deputy secretary of the Department of Public Safety and Corrections shall require the owner to furnish the deputy secretary the serial number of each such vehicle. This serial number shall be stenciled permanently on the rear axle of each vehicle. If the semitrailer, trailer, or tandem semitrailer does not have a serial number, then the office of state police or any sheriff's department shall assign to the owner a serial number and stencil that number permanently on the vehicle. The fee for this service shall be not less than five dollars if the semitrailer, trailer, or tandem semitrailer is brought into the office of state police, ~~or a~~ state police headquarters or station, or any sheriff's office for stenciling, and shall be not less than ten dollars if it is necessary for a representative of the office of state police or sheriff's department to perform the service in the field. ~~This fee shall be retained by the office of state police law enforcement agency performing this service to help defray the expenses of administering this Section. The number so assigned and stenciled shall be used in making application for and the licensing of each such vehicle. Any fees charged in excess of said fees shall be adopted pursuant to R.S. 49:950 et seq."~~

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 174—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 38:2212(A)(1)(d)(iii), relative to public contracts; to provide relative to certain contracts advertised and let by the Bossier Parish Police Jury; to increase the contract limit for certain contracts; to provide relative to certain restrictions; to

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authorize the contract limit to be adjusted annually to reflect inflation; to require the Bossier Parish Police Jury to publish the contract limit under certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 174 by Representative Montgomery

#### AMENDMENT NO.1

On page 2, line 9, after "one hundred" change "fifty" to "thirty"

#### AMENDMENT NO. 2

On page 2, line 13, after "journal" delete the remainder of the line and delete line 14 in its entirety and insert "in February of each year."

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 211—

BY REPRESENTATIVES HAMMETT, BOWLER, ARNOLD, BALDONE, BAYLOR, CURTIS, DARTEZ, FARRAR, HEATON, HILL, HONEY, KENNEY, MONTGOMERY, ODINET, AND JANE SMITH  
AN ACT

To amend and reenact R.S. 47:293(6)(e), relative to individual income tax; to extend the exemption for certain income earned by military personnel for services performed outside of the state; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 219—

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 32:429(A), relative to service and transaction fees levied by local governments to fund office of motor vehicles field offices; to increase the maximum fee allowed per service or transaction; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Quezaire, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 437—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT  
AN ACT

To enact R.S. 47:841(B)(6), relative to the tobacco tax; to increase the tax on cigarettes; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 437 by Representative Hammett

#### AMENDMENT NO.1

On page 1, line 15, change "fifty-twentieths" to "one hundred-twentieths"

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 449—

BY REPRESENTATIVES KENNEY, THOMPSON, AND PINAC  
AN ACT

To enact Part IV of Chapter 4-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:333 through 339, and R.S. 36:4(I), relative to economic development; to create the Louisiana Value-added Manufacturing Authority; to provide for definitions; to provide for membership, powers, and duties of the authority; to establish the Louisiana Value-added Manufacturing Fund; to provide for the administration of funds, loans, and grants; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Appropriations.

### HOUSE BILL NO. 645—

BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To amend and reenact R.S. 6:255 and R.S. 12:57 and to enact R.S. 6:257 and R.S. 12:59, relative to shares of stock; to provide for shares without stock certificates; to provide for transfer of shares; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 645 by Representative Robideaux

#### AMENDMENT NO.1

On page 2, line 23, after "A." delete "Shares may but need not be represented by certificates of stock." and insert the following:



"Shares must be represented by certificates of stock unless the issuing corporation is a participant in the Direct Registration System, or its successor, of the Depository Trust & Clearing Corporation, then shares need not be represented by certificates of stock."

AMENDMENT NO. 2

On page 3, line 25, after "corporation" insert "or its agent"

AMENDMENT NO. 3

On page 6, line 20, after "A." delete "Shares may but need not be represented by certificates of stock." and insert the following:

"Shares must be represented by certificates of stock unless the issuing corporation is a participant in the Direct Registration System, or its successor, of the Depository Trust & Clearing Corporation, then shares need not be represented by certificates of stock."

AMENDMENT NO. 4

On page 7, line 23, after "corporation" insert "or its agent"

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 657—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact Part V-A of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:201, relative to time standards; to facilitate trade and shipping by eliminating the change between daylight savings and standard times; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 669—**

BY REPRESENTATIVE MCVEA  
AN ACT

To enact Chapter 44 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:3281 through 3286, to create the West Feliciana Parish Port Commission; to provide for a board of commissioners to manage the commission; to provide for the powers and duties of the commission including the authority to levy taxes and issue bonds; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 669 by Representative McVea

AMENDMENT NO. 1

On page 1, line 13, after "FELICIANA" and before "PORT" insert "PARISH"

AMENDMENT NO. 2

On page 2, at the beginning of line 11, delete "a list of nominations" and insert the following:

"a single nomination"

AMENDMENT NO. 3

On page 2, line 14, after "the" delete the remainder of the line and insert the following:

"the president of the West Feliciana Parish School Board, the sheriff of West Feliciana Parish, and the assessor of West Feliciana Parish. Prior to submission, such list shall be approved by a majority of such officials."

AMENDMENT NO. 4

On page 4, line 18, after "office" and before "at" insert "in the parish of West Feliciana"

AMENDMENT NO. 5

On page 8, at the beginning of line 16, delete "Levy" insert the following:

"Subject to approval of the West Feliciana Parish governing authority, levy"

AMENDMENT NO. 6

On page 8, at the beginning of line 21, delete "Levy" and insert the following:

"Subject to approval of the West Feliciana Parish governing authority, levy"

AMENDMENT NO. 7

On page 10, delete lines 17 through 29 in their entirety and on page 11, delete lines 1 through 4 in their entirety

AMENDMENT NO. 8

On page 11, line 5, change "B." to "A."

AMENDMENT NO. 9

On page 11, line 22, change "C." to "B."

AMENDMENT NO. 10

On page 12, line 15, change "D." to "C."

AMENDMENT NO. 11

On page 12, line 20, change "E." to "D."

AMENDMENT NO. 12

On page 12, line 26, change "F." to "E."

AMENDMENT NO. 13

On page 13, line 6, change "G." to "F."

AMENDMENT NO. 14

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On page 13, line 18, change "H." to "G."

### AMENDMENT NO. 15

On page 13, line 22, change "I." to "H."

### AMENDMENT NO. 16

On page 13, line 28, change "I." to "L."

### AMENDMENT NO. 17

On page 14, line 5, change "K." to "J."

### AMENDMENT NO. 18

On page 14, line 11, change "L." to "K."

### AMENDMENT NO. 19

On page 14, line 18, change "M." to "L."

### AMENDMENT NO. 20

On page 14, line 22, change "N." to "M."

### AMENDMENT NO. 21

On page 15, line 4, change "O." to "N."

### AMENDMENT NO. 22

On page 15, line 10, change "P." to "O."

### AMENDMENT NO. 23

On page 15, line 16, change "Q." to "P."

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 672—**

BY REPRESENTATIVES MONTGOMERY AND HOPKINS  
AN ACT

To amend and reenact R.S. 47:635(A) and 640(A) and (B) and to enact R.S. 47:1520(A)(3), relative to the severance tax on oil and gas; to extend the tax return and payment due dates; to provide for a one-time payment of the oil and gas severance tax; to repeal the electronic funds transfer requirements; to require oil or gas severance tax reports to be filed electronically; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 672 by Representative Montgomery

### AMENDMENT NO. 1

On page 2, at the end of line 27, insert the following:

"Natural gas severance tax filers whose monthly payments average less than one hundred thousand dollars and who were previously required to file their statements on or before the fifteenth day of the second month following the month to which the tax was applicable are not required to make this one-time payment."

### AMENDMENT NO. 2

On page 5, at the end of line 3, insert the following:

"Natural gas severance tax filers whose monthly payments average less than one hundred thousand dollars and who were previously required to file their statements on or before the fifteenth day of the second month following the month to which the tax was applicable are not required to make this one-time payment."

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 717—**

BY REPRESENTATIVE MCDONALD  
AN ACT

To enact Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.294, to create the Bayou Desiard Lake Restoration Commission as a political subdivision of the state; to provide relative to the purpose and boundaries of the commission; to provide for a board of commissioners to manage the commission; to provide for powers and duties of the commission and board; to provide relative to the power of taxation and the issuance of bonds; to prohibit certain actions; to provide for penalties; to provide relative to the commission's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 717 by Representative McDonald

### AMENDMENT NO. 1

On page 4, between lines 13 and 14 insert the following:

"B. Any member of the board may be removed by a majority vote of the board, after a notice and a hearing where grounds for removal have been established. Grounds for removal shall include but not be limited to three unexcused absences or failure to attend less than one-third of the board's scheduled meetings within a one-year period."

### AMENDMENT NO. 2

On page 6, between lines 14 and 15 add the following:

"(13) To manage and control the water level and to make recommendations to the Wildlife and Fisheries Commission regarding lake drawdowns for biological purposes and aquatic plant control. However, to accomplish the commission's objectives, with the consultation of the Wildlife and Fisheries Commission, the

commission may engage in the removal of aquatic plants within the undeveloped area of Bayou Desiard Lake."

AMENDMENT NO. 3

On page 6, at the beginning of line 15, change "(13)" to "(14)"

AMENDMENT NO. 4

On page 7, line 21 after "tax" and before "shall" insert the following:

"shall not exceed five mills and"

AMENDMENT NO. 5

On page 7, at the end of line 22, add the following:

"The board may, when necessary, levy annually an ad valorem tax not to exceed five mills on the dollar on the property subject to taxation situated within the boundaries of the commission. The proceeds from such tax shall be used for the maintenance and upkeep of the lake within the boundaries of the commission as provided in R.S. 38:3087.282."

AMENDMENT NO. 6

On page 8, delete lines 7 and 8 in their entirety and insert the following:

"(1) To manage and control the water level; however, except as otherwise provided by this Part, the management and control of drawdowns for biological purposes is vested in the Wildlife and Fisheries Commission."

AMENDMENT NO. 7

On page 10, delete lines 6 through 8 in their entirety.

AMENDMENT NO. 8

On page 10, line 9, change "(d)" to "(c)"

AMENDMENT NO. 9

On page 10, line 11, change "(e)" to "(d)"

AMENDMENT NO. 10

On page 10, line 13, change "(f)" to "(e)"

AMENDMENT NO. 11

On page 10, line 14, change "(g)" to "(f)"

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 718—**

BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact R.S. 47:1508(B)(9) and to enact R.S. 47:1508(B)(20) and (21), relative to the furnishing of certain tax information to the State Departments of Natural Resources, Public Safety and Corrections, and Agriculture and Forestry; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Heaton, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 721—**

BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact R.S. 47:1601(A), relative to the interest on unpaid taxes; to provide the method of interest computation on notices of assessment for unpaid taxes; to provide for the authority of the secretary to abate interest attributable to unreasonable delays; to provide for the authority of the secretary to provide by rule for the compromise the amount of interest due; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 721 by Representative Burns

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 47:1601" to "R.S. 47:1601(A)"

AMENDMENT NO. 2

On page 1, at the end of line 3, insert "for the authority of the secretary to abate interest attributable to unreasonable delays; to provide for the authority of the secretary to provide by rule for the compromise the amount of interest due; to provide"

AMENDMENT NO. 3

On page 1, line 6, change "R.S. 47:1601" to "R.S. 47:1601(A)"

AMENDMENT NO. 4

On page 3, between lines 6 and 7, insert the following:

"(e) Abatement of interest attributable to unreasonable errors and delays by the department. In the case of any assessment of interest attributable in whole or in part to any unreasonable error or delay by the secretary or her designee (acting in an official capacity) in performing a ministerial or managerial act, the secretary may abate all or any part of such interest for any period. For purposes of the preceding sentence, an error or delay shall be taken into account only if no significant aspect of such error or delay can be attributed to the taxpayer involved and after the department has contacted the taxpayer in writing with respect to such deficiency or payment."

"(f) Notwithstanding any other provision of this Section to the contrary and in order to promote the effective administration of the tax laws of this state, the secretary may provide by rules and regulations promulgated pursuant to the Administrative Procedure Act for the compromise of the amount of interest to be added to the amount of the tax due as computed pursuant to this Section. A complete record of all such compromises shall be kept by the secretary, shall be open to public inspection and, notwithstanding the provisions of R.S. 47:1508 and 1508.1, shall be published in the department's annual report."

On motion of Rep. Hammett, the amendments were adopted.

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On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 763—

BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 51:422.1, relative to unfair sales; to provide for the application of unfair sales provisions to the sale of motor fuel; to provide for exemptions; to provide for maintenance of records; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 763 by Representative Townsend

#### AMENDMENT NO. 1

On page 2, line 9, after "a" delete "credit or debit" and insert "credit, debit, or shopping"

#### AMENDMENT NO. 2

On page 2, at the end of line 21, insert "No retailer shall be in violation of Paragraph (B)(1) of this Section if the retailer makes a bona fide effort to determine the legality of the price of a competitor and determines in good faith that the competitor's price is a legal price."

#### AMENDMENT NO. 3

On page 2, between lines 24 and 25 insert:

"E. Notwithstanding any other provision of law to the contrary, the provisions of this Section shall be enforced by the attorney general and the district attorneys, in their respective districts, in order to prevent and restrain violations of this Section."

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

### SENATE BILL NO. 74—

BY SENATOR ADLEY  
AN ACT

To amend and reenact R.S. 39:1405.3(B), relative to the issuance of industrial revenue bonds; to require the approval of the issuance of such bonds by certain local governmental entities in Bossier Parish prior to State Bond Commission approval; and to provide for related matters.

Read by title.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 74 by Senator Adley

#### AMENDMENT NO. 1

On page 1, line 8, following "R. S. 39:1405.3" and before "is" insert "(B)"

On motion of Rep. Montgomery, the amendments were adopted.

On motion of Rep. Montgomery, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

### SENATE BILL NO. 265—

BY SENATOR HINES AND REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 37:1041(C)(2) and (4) and to enact R.S. 37:1041(C)(5), relative to the practice of optometry; to provide for modifications in current definitions; to provide for a definition of ophthalmic surgery; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Durand, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

### House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

### Regular Calendar

### HOUSE BILL NO. 137—

BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 33:9091.1(F)(1) and (3), relative to the Lakeview Crime Prevention District; to provide for changing the amount and the term of the parcel fee levied for the district; and to provide for related matters.

Read by title.

Rep. Bruneau moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Geymann	Pinac
Alario	Glover	Pitre
Alexander	Gray	Powell, M.
Arnold	Greene	Powell, T.
Badon	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero

Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Shepherd
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton
Fauchoux	Morrish	Wright
Frith	Odinet	
Gallot	Pierre	
Total - 97		

NAYS

Total - 0

ABSENT

Ansardi	Dewitt	Martiny
Baldone	Doerge	Trahan
Cazayoux	LaFleur	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bruneau moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 145—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 33:140.75(A) and to repeal R.S. 33:140.71(C), relative to railroad development districts; to provide for the maximum rate of the ad valorem tax to be levied by such districts; to provide relative to tax renewal; to repeal certain provisions relative to district boundaries; and to provide for related matters.

Read by title.

Rep. Thompson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Romero

Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Triche
Dewitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Fauchoux	Odinet	
Total - 100		

NAYS

Total - 0

ABSENT

Ansardi	LaFleur	Trahan
Cazayoux	Martiny	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Thompson moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 189—**

BY REPRESENTATIVES E. GUILLORY AND MORRISH AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 27:93(A)(6), relative to fees levied on riverboats in Calcasieu Parish; to provide relative to the levying of admission fees; to authorize the local governing authority in Calcasieu Parish where riverboats are berthed to levy a fee based on monthly net gaming proceeds in lieu of admission fees; to provide for the allocation of funds derived from fees levied by the local governing authority; to authorize contracts for payment of a minimum annual fee and payments of additional amounts; to provide for cooperative endeavor agreements; to provide for legislative intent; and to provide for related matters.

Read by title.

Rep. Elcie Guillory moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Geymann	Pinac
Ansardi	Glover	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.

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Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Shepherd
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFonta	Triche
Dewitt	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Faucheux	Morrish	
Frith	Odinet	
Total - 97		

NAYS

Alexander	Katz
Crowe	Schneider
Total - 4	

ABSENT

Cazayoux	LaFleur
Doerge	Trahan
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Elcie Guillory moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 253— BY REPRESENTATIVES BURNS AND SCHNEIDER AN ACT

To enact R.S. 33:4712.13, relative to naming a park; to authorize the Mandeville City Council to name the park behind Mandeville City Hall in honor of Paul D. Cordes; and to provide for related matters.

Read by title.

Rep. Burns moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Gallot	Pierre
Alexander	Geymann	Pinac
Ansardi	Glover	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire

Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Shepherd
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFonta	Trahan
Dewitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wright
Faucheux	Morrish	
Total - 101		

NAYS

Total - 0

ABSENT

Cazayoux	LaFleur
Downs	Wooton
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Burns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 280— BY REPRESENTATIVE GALLOT AN ACT

To amend and reenact R.S. 38:2869, 2870(A)(7), and 2872, relative to the Claiborne Parish Watershed District; to provide relative to the powers and duties of the board of commissioners; to provide relative to contracts of the district; and to provide for related matters.

Read by title.

Rep. Gallot moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie

Baylor	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
Dewitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright

Total - 102

NAYS

Total - 0

ABSENT

Cazayoux	LaFleur	Odinot
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Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gallot moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 312—**BY REPRESENTATIVES GLOVER AND BRUCE  
AN ACT

To enact Chapter 5-N of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.111 through 380.116, and R.S. 36:744(Y) and 801.18, to create the Spring Street Historical Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state and the Department of State with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Read by title.

Rep. Glover moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Pierre
Alario	Frith	Pinac
Alexander	Gallot	Pitre
Ansardi	Geymann	Powell, M.
Arnold	Glover	Powell, T.

Badon	Gray	Quezaire
Baldone	Greene	Richmond
Barrow	Guillory, E.	Ritchie
Baudoin	Guillory, M.	Romero
Beard	Hammett	Scalise
Bowler	Heaton	Schneider
Bruce	Hebert	Shepherd
Bruneau	Hill	Smiley
Burns	Honey	Smith, G.
Burrell	Hopkins	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFleur	Tucker
Dewitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	Wright
Fannin	Montgomery	
Farrar	Morrell	

Total - 100

NAYS

Total - 0

ABSENT

Baylor	Morrish	Robideaux
Kennard	Odinot	

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Glover moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 376—**

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 33:7702, relative to waterworks districts; to provide relative to the procedures for consolidating certain waterworks districts in the parish of Sabine; and to provide for related matters.

Read by title.

Rep. Baylor moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pinac
Alario	Gallot	Pitre
Alexander	Geymann	Powell, M.
Ansardi	Glover	Powell, T.
Arnold	Gray	Quezaire
Badon	Greene	Richmond
Baldone	Guillory, E.	Ritchie
Barrow	Guillory, M.	Robideaux

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Baylor	Hammett	Romero
Beard	Heaton	Scalise
Bowler	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Cravins	Katz	Strain
Crowe	Kennedy	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
Dewitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton
Faucheux	Pierre	Wright
Total - 96		

NAYS

Total - 0

ABSENT

Baudoin	Downs	LaFonta
Bruce	Johns	Morrish
Curtis	Kennard	Odinot
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baylor moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 452—

BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 40:1496(D), relative to certain fire protection districts located in more than one parish; to provide relative to qualifications of members of the boards of commissioners of such districts; and to provide for related matters.

Read by title.

Rep. Doerge moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Pierre
Alario	Glover	Pinac
Alexander	Gray	Pitre
Ansardi	Greene	Powell, M.
Arnold	Guillory, E.	Powell, T.
Badon	Guillory, M.	Quezaire
Baldone	Hammett	Richmond
Barrow	Heaton	Ritchie
Baudoin	Hebert	Robideaux
Baylor	Hill	Romero
Bowler	Honey	Scalise

Bruce	Hopkins	Schneider
Bruneau	Hunter	Shepherd
Burns	Hutter	Smith, G.
Burrell	Jackson	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th
Carter, R.	Johns	Smith, J.R.—30th
Cazayoux	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kennedy	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
Dewitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Frith	Morrish	
Gallot	Odinot	
Total - 100		

NAYS

Total - 0

ABSENT

Beard	Daniel	Smiley
Crane	Faucheux	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Doerge moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 512—

BY REPRESENTATIVE E. GUILLORY

AN ACT

To amend and reenact R.S. 27:93(A)(1) and 391(C) and to enact R.S. 27:93(A)(9) and R.S. 33:9575, to provide with respect to the creation of the Calcasieu Parish Gaming Revenue District; to provide for the boundaries of the district; to provide for the powers and duties of the district, including the power to tax; to provide relative to the levying of admission fees; to authorize the district to levy a fee based on monthly net gaming proceeds of riverboats in lieu of admission fees; to provide for the allocation of funds derived from fees levied by the district; to provide for cooperative endeavor or local services agreements; to provide for legislative intent; and to provide for related matters.

Read by title.

Rep. Elcie Guillory moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Pierre
Alario	Glover	Pinac
Alexander	Gray	Pitre
Ansardi	Greene	Powell, M.
Arnold	Guillory, E.	Powell, T.
Badon	Guillory, M.	Quezaire



Baldone	Hammett	Richmond
Barrow	Heaton	Ritchie
Baudoin	Hebert	Robideaux
Baylor	Hill	Romero
Bowler	Honey	Scalise
Bruce	Hopkins	Shepherd
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, G.
Burrell	Jackson	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th
Carter, R.	Johns	Smith, J.R.—30th
Cazayoux	Kennard	St. Germain
Cravins	Kenney	Strain
Curtis	Kleckley	Thompson
Damico	LaBruzzo	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan
Dewitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wright
Frith	Morrish	
Gallot	Odinot	
Total - 97		

NAYS

Total - 0

ABSENT

Beard	Downs	Schneider
Crane	Faucheux	Wooton
Crowe	Katz	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Elcie Guillory moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 558—**

BY REPRESENTATIVE JEFFERSON  
AN ACT

To amend and reenact R.S. 33:4720.52(A)(1) and (B), 4720.53, 4720.56(17), 4720.57(A), 4720.59(D)(5) and (E), 4720.60(A)(3), 4720.61(A), 4720.62(A)(3), 4720.65(A)(6), and 4720.71(7), (9)(introductory paragraph) and (a), (d), (f), and (g), and to enact R.S. 33:4720.56(18) and (19), 4720.61(B)(5) and (O), and 4720.72, relative to the New Orleans Community Improvement Act; to provide with respect to the New Orleans Redevelopment Authority; to provide for the acquisition of blighted properties and functionally obsolescent facilities; to provide relative to the recordation of liens; to provide for the issuance of certain types of bonds; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Jefferson, the bill was returned to the calendar.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Jefferson gave notice of her intention to call House Bill No. 586 from the calendar for future action.

**HOUSE BILL NO. 558—**

BY REPRESENTATIVE LABRUZZO  
AN ACT

To amend and reenact R.S. 37:1226.2(A)(introductory paragraph) and (2), (B)(introductory paragraph) and (1), (2), (3), (6), (7), and (8), and (D)(1) and to enact R.S. 37:1226.2(F), relative to prescription drug returns, exchanges, and redispensing; to allow penal institutions to receive donated medications for redispensing to individuals in its facility; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. LaBruzzo sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LaBruzzo to Engrossed House Bill No. 558 by Representative LaBruzzo

**AMENDMENT NO.1**

On page 1, line 4, between "(F)" and the comma "," insert "and (G)"

**AMENDMENT NO. 2**

On page 1, line 6, after "facility;" insert "to provide for exemptions;"

**AMENDMENT NO. 3**

On page 1, line 10, after "(F)" delete "is" and insert in lieu thereof "and (G) are"

**AMENDMENT NO. 4**

On page 1, line 13, after "A." delete "All" and insert in lieu thereof "In accordance with Subsection G of this Section, all"

**AMENDMENT NO. 5**

On page 3, after line 8, insert the following:

"G. Notwithstanding any provision of law to the contrary, all of the following parishes shall only donate to and accept donations from charitable pharmacies:

(1) Parishes with a population not less than 41,000 and not more than 41,700 according to the most recent federal decennial census.

(2) Parishes with a population not less than 126,000 and not more than 127,000 according to the most recent federal decennial census.

(3) Parishes with a population not less than 252,000 and not more than 253,000 according to the most recent federal decennial census.

(4) Parishes with a population not less than 183,000 and not more than 184,000 according to the most recent federal decennial census."

On motion of Rep. LaBruzzo, the amendments were adopted.

Rep. LaBruzzo moved the final passage of the bill, as amended.

**ROLL CALL**

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The roll was called with the following result:

### YEAS

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Ansardi	Glover	Powell, M.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
Dewitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrish	
Faucheux	Odinot	
Total - 103		

### NAYS

Total - 0

### ABSENT

Barrow	Morrell
Total - 2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LaBruzzo moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

#### HOUSE CONCURRENT RESOLUTION NO. 93— BY REPRESENTATIVE DORSEY

##### A CONCURRENT RESOLUTION

To designate Tuesday, May 10, 2005, as Tar Wars Day in the state of Louisiana and to commend the Louisiana Academy of Family Physicians, the American Academy of Family Physicians, the Louisiana Area Health Education Centers, the Baton Rouge General Medical Center, and all of the committed individual family physicians and partnering health professionals who have

worked with the Tar Wars program to help the children of Louisiana to understand the positive aspects of not using tobacco; those who have learned the benefits of being tobacco free; and all of the Tar Wars poster contest participants and winners.

Read by title.

On motion of Rep. Dorsey, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

### Reports of Committees

The following reports of committees were received and read:

#### Report of the Committee on Civil Law and Procedure

May 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 52, by Odinet (Joint Resolution)  
Reported without amendments. (7-0) (Regular)

House Bill No. 157, by Pitre (Joint Resolution)  
Reported without amendments. (6-0) (Regular)

House Bill No. 187, by Arnold (Joint Resolution)  
Reported without amendments. (7-0) (Regular)

House Bill No. 308, by Bowler  
Reported with amendments. (7-2-1) (Regular)

House Bill No. 419, by K. Carter (Joint Resolution)  
Reported without amendments. (7-0) (Regular)

House Bill No. 465, by Baldone  
Reported favorably. (9-0) (Regular)

House Bill No. 485, by Walker  
Reported with amendments. (10-0) (Regular)

GLENN ANSARDI  
Chairman

#### Report of the Committee on Commerce

May 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Commerce to submit the following report:

House Bill No. 71, by Bruce  
Reported with amendments. (12-0) (Regular)

House Bill No. 320, by Marchand  
Reported with amendments. (12-0) (Regular)

House Bill No. 381, by Johns  
Reported with amendments. (15-0) (Regular)

House Bill No. 552, by St. Germain  
Reported with amendments. (13-0) (Regular)

House Bill No. 650, by Arnold

Reported with amendments. (10-0) (Regular)

House Bill No. 696, by Pinac  
Reported with amendments. (11-0) (Regular)

House Bill No. 738, by Guillory, M.  
Reported with amendments. (12-0) (Regular)

GIL J. PINAC  
Chairman

**Report of the Committee on Environment**

May 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Environment to submit the following report:

House Concurrent Resolution No. 64, by Badon  
Reported favorably. (7-0)

House Bill No. 388, by Fannin  
Reported favorably. (6-0) (Regular)

N. J. DAMICO  
Chairman

**Report of the Committee on  
Transportation, Highways and Public Works**

May 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

House Resolution No. 13, by Pitre  
Reported favorably. (10-0-1)

House Concurrent Resolution No. 31, by Smith, Jane  
Reported favorably. (9-0-1)

House Concurrent Resolution No. 56, by Hill  
Reported favorably. (11-0-1)

House Concurrent Resolution No. 65, by Smith, Jack  
Reported with amendments. (9-0-1)

House Bill No. 269, by Baylor  
Reported favorably. (10-0-1) (Regular)

House Bill No. 270, by Ansardi  
Reported with amendments. (11-0-1) (Regular)

House Bill No. 294, by Townsend  
Reported with amendments. (10-0-1) (Regular)

House Bill No. 307, by Fauchaux  
Reported favorably. (9-0-1) (Regular)

House Bill No. 362, by Quezaire  
Reported with amendments. (9-0-1) (Regular)

House Bill No. 509, by Triche  
Reported with amendments. (7-3-1) (Regular)

House Bill No. 778, by Heaton  
Reported with amendments. (11-0-1) (Regular)

ROY QUEZAIRE

Chairman

**Report of the Committee on Ways and Means**

May 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 90, by Bruneau  
Reported with amendments. (13-1) (Regular)

House Bill No. 304, by Hammett  
Reported favorably. (10-0) (Regular)

House Bill No. 599, by Hammett  
Reported with amendments. (14-0) (Regular)

BRYANT O. HAMMETT, JR.  
Chairman

**Privileged Report of the Committee on Enrollment**

May 10, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

**HOUSE RESOLUTION NO. 3—**  
BY REPRESENTATIVES SCHNEIDER AND BRUNEAU  
A RESOLUTION

To adopt House Rule No. 6.27 of the Rules of Order of the House of Representatives to create and provide for a special subcommittee to be comprised of members of certain House committees to examine and study all matters relative to compensation and benefits of state employees; to provide for the powers and responsibilities of the subcommittee; and to provide for related matters.

**HOUSE RESOLUTION NO. 21—**  
BY REPRESENTATIVE TOWNSEND  
A RESOLUTION

To commend Anna M. Westergard of Glenmora upon winning the Barry M. Goldwater Scholarship.

**HOUSE RESOLUTION NO. 22—**  
BY REPRESENTATIVE TOWNSEND  
A RESOLUTION

To commend computer information systems students from Northwestern State University upon capturing two national titles at the Association of Information Technology Professionals National Collegiate Championship.

**HOUSE RESOLUTION NO. 23—**  
BY REPRESENTATIVE CRANE  
A RESOLUTION

To recognize Tuesday, May 24, 2005, as Dental Hygiene Day in the state of Louisiana and to commend dental hygienists throughout the state for their outstanding contributions to the oral health of citizens of the state of Louisiana.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

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The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

### Suspension of the Rules

On motion of Rep. Crane, the rules were suspended to permit the Committee on Education to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Concurrent Resolution No. 77

### Suspension of the Rules

On motion of Rep. Lancaster, the rules were suspended to permit the Committee on House and Governmental Affairs to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 152

### Adjournment

On motion of Rep. Kenney, at 3:30 P.M., the House agreed to adjourn until Wednesday, May 11, 2005, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Wednesday, May 11, 2005.

ALFRED W. SPEER  
Clerk of the House

### Committee Meeting Notices

#### Committee on Administration of Criminal Justice

Will meet at: 9:30 A.M. Date: May 11, 2005

Location: Committee Room 6

- HB 16 FARRAR DWI** Deletes requirement of fleeing the scene of an accident as an element of the crime of vehicular homicide
- HB 17 POWELL, T. CHILDREN/ABUSE** Increases the time limitations for instituting prosecution for certain sex offenses against children
- HB 20 STRAIN CONTROLLED SUBSTANCES** Prohibits the production, manufacture, and distribution of hallucinogenic plant products
- HB 56 KATZ CRIME** Creates the crime of human trafficking
- HB 228 JEFFERSON CRIMINAL/EXTRADITION** Provides with respect to bail in extradition cases
- HB 276 BALDONE CRIME** Creates the crime of disposal of property with fraudulent intent
- HB 282 GEYMANN CRIMINAL/PROCEDURE** Provides with respect to the expungement of juvenile records
- HB 330 HUNTER CRIMINAL/HABIT OFFENDERS** Provides with respect to the habitual offender law
- HB 371 WOOTON GAMBLING/VIDEO POKER** Amends provisions of law regarding the licensing and operation of video draw poker devices

- HB 451 GEYMANN CRIMINAL/BAIL** Sets the minimum amount of bail for certain sex offenses
- HB 454 RICHMOND PAROLE** Provides with respect to curfew restrictions on parolees
- HB 511 HUTTER CRIMINAL/PROCEDURE** Provides for authority to fix bail and grant parole
- HB 525 HEATON CRIMINAL/SENTENCING** Reduces length of time convicted drug offenders must be incarcerated to be considered for review by the risk review panel
- HB 567 SMITH, GARY MTR VEHICLE/VIOLATIONS** Provides with respect to the validity of traffic citations issued by law enforcement officers
- HB 578 LAFONTA CRIMINAL/PROCEDURE** Requires certain notification to a nonresident alien before acceptance of a guilty or nolo contendere plea
- HB 581 TRAHAN CRIMINAL/PROCEDURE** Provides for privileged communications with regard to state governmental agencies
- HB 663 GLOVER PARDON/PAROLE** Creates an application process for persons incarcerated to apply for compensation upon proof of factual innocence
- HB 769 CRAVINS, JR. PARDON/PAROLE** Relative to judicial review of parole revocation decisions

DANIEL R. MARTINY  
Chairman

#### Committee on Education

Will meet at: 9:00 A.M. Date: May 11, 2005

Location: Committee Room 1

- HB 103 FRITH STUDENT/LOANS-SCHOLARSHIP** Permits use of TOPS Opportunity, Performance, and Honors Awards at certain out-of-state nonpublic colleges and universities under specified conditions and provides for award amounts in such cases
- HB 120 HILL STUDENT/LOANS-SCHOLARSHIP** Provides, relative to initial eligibility for a TOPS award beginning with the 2005-2006 award year, for minimum scores on specified standardized tests that are required of certain home study students
- HB 178 HUTTER SCHOOLS/EMPLOYEES** Prohibits, except under certain circumstances, public and private school systems from hiring persons convicted of certain crimes or permitting such persons to provide any services on school property for contractors and others performing work or providing goods or services
- HB 776 RICHMOND FISCAL CONTROLS** Expands authority to seek the appointment of a fiscal administrator for political subdivisions to include situations of insufficient revenue and, as to school systems, situations of BESE-defined crisis
- HB 777 CAZAYOUX CURRICULA** Requires the inclusion of the topic of adoption awareness in outlines for courses related to family life
- HCR 41 MONTGOMERY TEACHERS/CERTIFICATION** Requests BESE to provide alternative teacher certification

procedures for certain persons who have met all certification requirements except student teaching

**HCR 54 ALEXANDER BESE** Requests BESE to study the future income-earning capacity of those who pass the General Education Development (GED) examination in comparison to that of those who obtain a standard high school diploma

**HCR 77 POWELL, M. (TBA) BESE** Requests BESE to adopt a MFP formula for the 2006-2007 school year requiring that at least 70% of local school system general fund monies be spent at the school building level for instructional services and at least 65% of the general fund monies to be spent at the classroom level for the instruction of students by teachers and instructional staff members (**Subject to Rule Suspension**)

- To receive and discuss reports from the State Board of Elementary and Secondary Education relative to the Louisiana Quality Education Support Fund "8(g)" proposed programs and budgets (FY 2005-2006) and to receive and discuss responses from the board to certain 2004 legislative resolutions.

CARL CRANE  
Chairman

#### Committee on Health and Welfare

Will meet at: 9:00 A.M. Date: May 11, 2005

Location: Committee Room 5

**HCR 17 SCHNEIDER ELDERLY** Urges and requests the Office of Elderly Affairs to develop a comprehensive Internet site with information and resources for the elderly

**HB 125 TOOMY DENTISTRY** Amends the Dental Practice Act

**HB 146 POWELL, M. FEES/LICENSES/PERMITS** Phases out the Medicaid provider fee on nursing home beds

**HB 242 CROWE ABORTION** Provides for mandatory professional counseling in all cases when an abortion is sought

**HB 299 WINSTON CHILDREN/FOSTER CARE** Increases the maximum age that a child can remain in foster care

**HB 369 DURAND MEDICAID** Removes the exemption of hepatitis C and antipsychotic drugs from the Louisiana prior authorization process with preferred drug list

**HB 440 FAUCHEUX HEALTH/DHH** Provides for the imposition and collection of certain fees relative to the office of addictive disorders

**HB 445 WINSTON SOCIAL SERVICES DEPT** Provides for the implementation of "No Wrong Door"

**HB 526 WINSTON HEALTH CARE/FACILITIES** Provides relative to licensing adult brain injury facilities

**HB 538 MCVEA HEALTH/DHH** Provides for the development and implementation of a statewide human services and accountability framework

**HB 644 BARROW CHILDREN/ABUSE** Repeals certain provisions relative to the disposition of reports and investigations of child abuse

**HB 675 BEARD HEALTH/DEATH-DYING** Creates the Human Dignity Act which places restrictions to death by starvation and dehydration

**HB 740 HEBERT HEALTH CARE/PROVIDERS** Exempts polysomnographic health professionals from respiratory therapist licensure requirements and recognizes polysomnography as a separate and distinct profession

**HB 784 SALTER JUVENILES** Provides for an exception from confidentiality requirements as to the identity of juvenile crime victims

SYDNIE MAE DURAND  
Chairman

#### Committee on House and Governmental Affairs

Will meet at: 9:00 A.M. Date: May 11, 2005

Location: Committee Room 2

**HB 11 KATZ ELECTION CODE** Changes the hours the polls are required to be open on election day

**HB 80 BRUNEAU ELECTED OFFICIALS** (Constitutional Amendment) Changes election of the governor and of officials elected at the same time as the governor to the congressional elections in the presidential election year and provides for their terms

**HB 337 FAUCHEUX ELECTED OFFICIALS** (Constitutional Amendment) Changes election of the governor and of officials elected at the same time as the governor to the congressional elections in the presidential election year and provides for their terms

**HB 105 GUILLORY, E. ELECTIONS/CONGRESSIONAL** Increases the compensation of commissioners-in-charge and commissioners who serve at the polls on election day

**HB 152 GUILLORY, E. (TBA) ELECTIONS** Prohibits the use of electronic communication devices while a voter is in a voting machine (**Subject to Rule Suspension**)

**HB 415 POWELL, M. ELECTIONS/DATES** Eliminates the January election date for bond, tax, and other proposition elections

**HB 37 SCALISE GOVERNMENT ORGANIZATION** Creates an independent office of the state inspector general within the office of the governor

**HB 208 BOWLER ADMIN LAW/DIVISION** Requires an agency to comply with the final order or decision of an administrative law judge issued following an adjudication by the division of administrative law

**HCR 63 DANIEL PUBLIC OFFLS/EMPS** Urges and requests all public bodies and officers to give information to the public about applicants and candidates for public positions of authority and to discontinue the practice of oral only contacts and interviews

**HB 175 WHITE PUBLIC RECORDS** Creates an exception to public records provisions for the personnel records of law enforcement personnel

**HB 252 ARNOLD PUBLIC MEETINGS** Provides for public comment at the beginning of a school board meeting and provides for additional public comment if the school board adds a matter to its agenda

**HB 497 SMITH, JACK CONSTITUTION/CONVENTION** Provides for a general constitutional convention to be convened on August 8, 2005

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**HB 222 TOOMY SCHOOLS/BOARDS** (Constitutional Amendment) Prohibits, with certain exceptions, legislative mandates increasing the financial burden of local school boards unless enacted by two-thirds of the elected members of each house of the legislature

**HB 405 ALEXANDER SCHOOLS/BOARDS** Provides relative to term limits for the Lafayette Parish School Board subject to voter approval

**HCR 19 FAUCHEUX LANGUAGES** Memorializes congress to enact legislation establishing English as the official language of the United States

**HCR 62 CRAVINS, JR. LEGISLATIVE AFFAIRS** Directs the clerk of the House of Representatives and the secretary of the Senate, upon the death of a legislator, to notify certain legislators of capital outlay projects the deceased legislator had submitted for inclusion in the capital outlay budget or Capital Outlay Bill

**HR 7 BURNS HOUSE/RULES** Requires any person who submits data or statistical information in a prepared statement to a committee to include information to identify the source of the data or information in the statement

CHARLES D. LANCASTER, JR.  
Chairman

### Committee on Insurance

Will meet at: 9:00 A.M. Date: May 11, 2005

Location: Committee Room 3

**HB 136 DOWNS INSURANCE/LIFE** Creates an insurable interest of an employer in the life of an employee

**HB 164 JACKSON, M. INSURERS/BROKERS** Deletes requirement that surplus lines brokers be notified of an insurer's removal from the approved list

**HB 188 LAFLEUR INSURANCE/AUTOMOBILE** Provides with respect to the limitation of coverage and potential recovery of the named insured or spouse or other family member for whom the policy provides coverage to less than the highest policy limit

**HB 203 FAUCHEUX INSURANCE/HEALTH** Provides relative to group health insurance coverage of a dependent previously enrolled in a Medicaid program or the Louisiana Children's Health Insurance Program (LaCHIP)

**HB 534 CARTER, K. INSURANCE/POLICIES** Deletes provisions limiting the dollar value and benefits of funeral insurance policies to the face value of the policies

**HB 561 LANCASTER INSURERS/AGENTS** Requires six hours of continuing education per year for title insurance agents to renew license

**HB 653 ERDEY INSURANCE DEPARTMENT** Requires continuing education for title insurance producers

**HB 670 CARTER, R. INSURANCE/AUTOMOBILE** Provides for responsibility of damages caused by excluded drivers

**HB 700 TUCKER INSURANCE** Provides that customer assistance is included in the coverage of vehicle mechanical breakdown policies

**HB 779 MCVEA MTR VEHICLE/COMPULS INS** Provides that compulsory automobile liability insurance laws apply in private parking lots

KAREN CARTER  
Chair

### Committee on Natural Resources

Will meet at: 9:00 A.M. Date: May 11, 2005

Location: Committee Room 4

**HB 119 ROMERO, E. FISHING/LICENSES** Provides with respect to the duration of recreational fishing licenses

**HB 124 WOOTON FISHING/SHRIMP** Provides relative to fees for shrimp gear licenses

**HB 179 FRITH FISHING/OYSTERS** Authorizes mechanical oyster dredging in Calcasieu Lake

**HB 200 SMITH, JACK HUNTING/PENALTIES** Prohibits hunting on private property without authorization of the property owner

**HB 245 POWELL, T. FISHING/CRABS** Increases crab gear license fees and dedicate the increase to certain existing programs for the enhancement of the crab industry

**HB 302 WOOTON PROPERTY/PUBLIC** Provides for the transfer of certain state property in Plaquemines Parish to the governing authority of the parish

**HB 385 WOOTON FISHING/OYSTERS** Relative to licensing oyster vessels owned and operated by people who are not Louisiana residents

**HB 397 BALDONE FISHING/NETS** Removes certain restrictions on unattended nets

**HB 448 HOPKINS WATER/RESOURCES** Exempts certain water systems from certain statutory and rule or regulation requirements relative to certified operators

**HB 535 TRICHE FISHING/CRABS** Relative to qualification for commercial crab gear licenses in 2005

**HB 587 ODINET FISHING/OYSTERS** Authorizes the use of fish excluder devices around oyster leases

**HB 617 KENNARD FISHING/NETS** Prohibits certain nets in Poverty Point Reservoir

**HB 752 DARTEZ FISHING/SHRIMP** Relative to penalties and license restrictions for shrimping violations

WILFRED PIERRE  
Chairman